

# EXHIBIT 5

1 UNITED STATES DISTRICT COURT  
2 EASTERN DISTRICT OF MICHIGAN  
3 SOUTHERN DIVISION

4 No. 5:16-cv-10444  
IN RE: FLINT WATER CASES Hon. Judith E. Levy  
5 Mag. Mona K. Majzoub

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7  
8  
9 HIGHLY CONFIDENTIAL  
10 VIDEOTAPED DEPOSITION OF JOSEPH NASUTA

11 Thursday, December 5, 2019  
12 at 9:03 a.m.

13  
14 Taken at: Weitz & Luxenberg PC  
3011 West Grand Boulevard, Suite 2100  
15 Detroit, Michigan 48202

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21 REPORTED BY: CAROL A. KIRK, RMR/CSR-9139  
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24

1     where we've lost money, and we've done, quote --  
2     I've heard we've done postmortem on those as  
3     well.

4             Q.     Right.

5             A.     So it's also some we've won.

6             Q.     But you didn't do it on the Flint  
7     job where the task was to identify problems with  
8     water quality and help the city figure out how  
9     to fix them as soon as possible?

10            MR. MCELVAINE:  Objection.

11            You can answer.

12            A.     I'm not aware of any postmortem.  
13     Is that your question?

14            Q.     Yeah.

15            A.     I'm not aware of a postmortem  
16     being done.

17            Q.     No sort of postmortem, no sort of  
18     looking back and saying, "Is there anything we  
19     could have done differently to make sure all  
20     these people didn't get sick?"

21            MR. MCELVAINE:  Objection.

22            You can answer.

23            A.     I'm not aware of whether that  
24     happened or didn't happen.

1           Q.     Are you aware of anything where  
2     Veolia went back and said, "Is there anything we  
3     could have done differently to make sure that  
4     the water going through these pipes wasn't so  
5     corrosive that it was making the pipes break  
6     down?"

7                     MR. MCELVAINE:  Objection.

8                     You can answer.

9           A.     I'm not sure your premise is  
10    correct.  But, again, I don't know of a  
11    postmortem that was -- at least a formal  
12    postmortem that was done.  There may have  
13    been -- some people may have had conversations.  
14    I don't know.

15          Q.     And nothing generally to look back  
16    and say, "Is there anything we could have done  
17    differently to make sure Flint's water quality  
18    improved sooner"?

19          A.     The only thing I remember --

20                     MR. MCELVAINE:  Objection.

21                     THE WITNESS:  I'm sorry.

22                     MR. MCELVAINE:  Objection.

23          A.     The only thing I vaguely remember  
24    hearing, someone said, "I wish Flint would have

CERTIFICATE

I, Carol A. Kirk, a Registered Merit Reporter and Notary Public in and for the State of Michigan, duly commissioned and qualified, do hereby certify that the within-named JOSEPH NASUTA was by me first duly sworn to testify to the truth, the whole truth, and nothing but the truth in the cause aforesaid; that the deposition then given by him was by me reduced to stenotype in the presence of said witness; that the foregoing is a true and correct transcript of the deposition so given by him; that the deposition was taken at the time and place in the caption specified and was completed without adjournment; and that I am in no way related to or employed by any attorney or party hereto or financially interested in the action; and I am not, nor is the court reporting firm with which I am affiliated, under a contract as defined in Civil Rule 28(D).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Dexter, Michigan on this 19th day of December 2019.

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CAROL A. KIRK, RMR, CSR-9139

NOTARY PUBLIC - STATE OF MICHIGAN

My Commission Expires: August 19, 2022.

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